

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

-

WRIT PETITION NO : 15630 of 2005

Between:

C.Prasanna Kumari, d/o Venkata Ramanachari,
R/o Bethal Colony, Rayachoty Town & Mandal, Kadapa District.

..... PETITIONER

AND

- 1 The Joint Collector, Kadapa District, Kadapa.
- 2 The Revenue Divisional Officer, Kadapa, Kadapa District.
- 3 The Mandal Revenue Officer, Rayachoty Mandal, Rayachoty, Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more fully in the nature of writ of mandamus declaring that the proceedings in Ref.C/585/2004 dated 11-05-2005 issued by the 2nd respondent as arbitrary, illegal, improper and unenforceable and consequently set aside the same by directing the respondents to continue the petitioner's authorization/license issued for Fair Price Shop Dealer at Bethal Colony, Rayachoty, Kadapa District.

Counsel for the Petitioner: SMT.K.SESHARAJYAM

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following:

ORAL ORDER:

Heard Smt.K.Sesharajyam, learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing on behalf of respondents 1 to 3.

2. The grievance of the petitioner is against the order of the Revenue Divisional Officer, Kadapa, (2nd respondent herein), who, vide proceedings dated 11.5.2005, cancelled the authorization of temporary Fair Price Shop dealership of the petitioner.

3. Learned counsel for the petitioner refers to the charges in the impugned order and contends that the charges are vague and are incapable of an explanation being furnished thereto except for denial which the petitioner has denied. She also contends that some of the charges were the subject matter of earlier action taken against the petitioner, which culminated in imposition of penalty of Rs.1,000/-, which amount was paid by the petitioner. It is her case that the petitioner cannot be mulcted with the penalty for the same offence twice.

4. Against the said order of the Revenue Divisional Officer, dated 11.5.2005, the petitioner preferred an appeal to the Joint Collector, Kadapa (1st respondent herein) immediately thereafter. The petitioner also filed a stay application along with the appeal. It is the petitioner's contention that neither the stay application nor the appeal was disposed of till date. Needless to state such matters require expeditious disposal.

5. The 1st respondent is, therefore, directed to either consider the stay application filed along with the appeal or the appeal itself and pass appropriate orders thereon, after complying with the procedural requirements under the Control Order, within a period of four (04) weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of accordingly. No costs.

19.7.2005

SSR

Issue order copy in one week.

(BO)

To

- 1 The Joint Collector, Kadapa District, Kadapa.
- 2 The Revenue Divisional Officer, Kadapa, Kadapa District.
- 3 The Mandal Revenue Officer, Rayachoty Mandal, Rayachoty, Kadapa District.

4 2 CCs to G.P. for Civil Supplies, High Court of A.P. Hyderabad. (OUT)

5 2 CD copies

*Form-NIC-OGS/WP{**RS**}*